

RECEIVED and FILED by the  
NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF VETERINARY MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

Leonard J. Patrick, D.V.M.  
License No. VI001597

TO PRACTICE VETERINARY MEDICINE  
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER OF  
LIMITED LICENSE

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners (hereinafter "the Board") upon receipt of a consumer complaint by Ms. Rachel Coady concerning services rendered by respondent on Ms. Coady's cat "Rose Bud" on or about September 2000. On June 1, 2000, Ms. Coady purchased what she believed to be a female cat as reflected in the signed purchase agreement and health certificate from Animal Kingdom (hereinafter "the Kingdom"). On September 6, 2000, Ms. Coady brought Rose Bud back to the Kingdom to have the cat spayed and declawed. Respondent asserted that he had difficulty palpating testicles to this animal and as the surgery progressed, he found the cat to have had a very abnormal reproductive tract as the uterus had only one horn. However, he supposedly was able to remove one ovary and unable to find the other ovary. The declaw procedure was performed without any problems.

On September 11, 2000, the cat was released to Ms. Coady as the cat experienced some difficulty recovering from the anesthesia. The cat was taken on March 7, 2001 to another facility

with the chief complaint of urinating and defecating outside the litter box. The attending veterinarian found Rose Bud to have a very enlarged left kidney and mildly enlarged right kidney. It was also confirmed that the cat was an intact male cat, not a female cat. After performing an ultrasound, and discussing the results with a consultant, the consensus was that the previous surgery performed by respondent ligated the ureter not the uterus which caused acute renal failure. The treating veterinarian conducted some bloodwork and found the results to be within normal limits thus allowing her to neuter Rose Bud and simultaneously drain the kidney. Rose Bud recovered and is doing well.

Having reviewed the entire record, including the testimony of the respondent at the investigative inquiry on October 24, 2001, it appears to the Board that respondent assumed the responsibility of observing Rose Bud overnight for five (5) nights at the Kingdom and he failed to recognize that the animal was a male cat, failed to perform a proper pre-surgical examination, failed to use an appropriate anesthetic, failed to properly perform the castration procedure and failed to treat the cat appropriately for the clinical signs it displayed after surgery. The Board also found respondent to have obtained no branch office license. Furthermore, he prepared and maintained inadequate and incomplete patient records for this animal, including the omission of any reference to this animal possibly being a male cat or that he was concerned that this animal was a hermaphrodite.

These facts establish a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(d) in that respondent engaged in repeated acts of negligence. Disciplinary action is also based on respondent's violation of N.J.S.A. 45:16-9.4 concerning failure to obtain a branch license and N.J.S.A. 45:1-21(h) for respondent's violation of N.J.A.C. 13:44-4.9 concerning patient records. It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings, and for good cause shown:

IT IS ON THIS 22 DAY OF April, 2002,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall hold a limited license and shall not treat small animals until further order of the Board, except as provided by paragraphs 5 and 6 below.
2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the aggregate amount of \$5,600 consisting of a \$5,000 penalty concerning repeated acts of negligence, a \$100 penalty for the failure to obtain a branch office license and a \$500 penalty for the failure to maintain adequate medical records. Payment for the civil penalty totaling \$5,600 shall be submitted no later than forty-five (45) days from the entry of this Consent Order, by certified check or money order made payable to the Board of Veterinary Medical Examiners and shall be sent to Diane Romano, Executive Director, Board of Veterinary Medical Examiners, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.
3. Respondent is hereby assessed costs in the amount of \$244.30 incurred by the State in this matter. Payment for the costs shall be submitted by certified check or money order made payable to the Board of Veterinary Medical Examiners and submitted to the Board no later than forty-five (45) days from the entry of this Consent Order. Payment shall be sent to Diane Romano, Executive Director at the address described in paragraph number one above.
4. Respondent shall pay restitution in the amount of \$179.00 to the consumer, Ms. Rachel Coady, no later than forty-five (45) days from the entry of this Consent Order, by certified check or money order made payable to Ms. Rachel Coady, sent by certified mail to the Board at the address described in paragraph number one above.
5. Respondent shall take and successfully pass the National Board of Veterinary Medical Examiners' ("NBVME") Species Specific Examination for Small Animals. Respondent shall be responsible for all costs associated with the taking and/or re-taking of the examination. Respondent shall cease and desist from treating small animals (except under the conditions

described in paragraph number six below) until such time that respondent seeks to lift the limitations on his license by demonstrating to the Board that he has successfully passed the examination.

6. If respondent chooses to continue to treat small animals prior to passing the examination, he may do so for a time period not to exceed two (2) years, provided that he practices only under the supervision of a New Jersey licensed veterinarian. Respondent shall advise the Board of his intended supervisor and submit a copy of the licensee's curriculum vitae within 10 days of the entry of this Consent Order. The selected supervisor shall be pre-approved by the Board and shall supervise respondent's treatment of small animals for no more than two (2) years commencing on the date of approval by the Board. If respondent passes the NBVME Species Specific Examination prior to the completion of the two (2) year term of supervision, respondent may seek to lift the limitations on his license by demonstrating to the Board that he has successfully passed the examination. If respondent does not pass the examination prior to the conclusion of the two (2) year term of supervision, he must cease and desist from treating small animals until such time that respondent seeks to lift the limitations on his license by demonstrating to the Board that he has successfully passed the examination.

7. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

By: \_\_\_\_\_

*John G. DeVries, D.V.M.*  
John G. DeVries, D.V.M.  
Board President

I have read and understand the  
within Consent Order and agree  
to be bound by its terms. Consent  
is hereby given to the Board to  
enter this Order.

*Leonard J. Patrick, D.V.M.*  
Leonard J. Patrick, D.V.M.

*4/22/02*  
Date